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40-Tob-8 (Preliminary for instructional
purposes only)

Issued August , 1939

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

Procedure for the Determination of
Flue-cured Tobacco Acreage Allotments for 1940

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GENERAL

Section 1. Definitions. -- As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires:

(a) FLUE-CURED ALLOTMENT PROCEDURE FOR 1940 means this 40-Tob-1.

(b) LOCAL COMMITTEE means the county and community committee utilized under the Act. "County Committee" or "Community Committee" shall have corresponding meanings in the connection in which they are used.

(c) NEW FARM means a farm on which tobacco was not produced in any of the five years 1935 to 1939 but on which tobacco will be produced in 1940.

(d) OLD FARM means a farm on which tobacco was produced in one or more of the five years 1935 to 1939 and on which tobacco will be produced in 1940.

(e) OPERATOR means the person who, as owner, landlord, or tenant, is in charge of the supervision and the conduct of the farming operations on the entire farm.

(f) STATE COMMITTEE means the group of persons so designated within any State to assist in the administration in the State of the Act.

(g) TOBACCO means tobacco classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as types 11, 12, 13 and 14 and collectively known as flue-cured tobacco.

Sec. 2. Extent of Calculations and Rule of Fractions. (a) All percentages shall be calculated to the nearest whole percent. Fractions of fifty-one hundredths of one percent or more shall be rounded upward, and fractions of five-tenths of one percent or less shall be dropped. For example, 87.51 percent would become 88 percent and 87.50 percent would become 87 percent. (b) All acreages shall be calculated to the nearest one-tenth of an acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.00.

Sec. 3. Instructions and Forms. -- The Administrator of the Agricultural Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

Sec. 4. Applicability of Procedure. -- This flue-cured allotment procedure for 1940 shall govern the establishment of farm acreage allotments for flue-cured tobacco for use in connection with the 1940

Agricultural Conservation Program and in connection with farm marketing quotas for flue-cured tobacco for the marketing year therefor beginning July 1, 1940, in the event a national marketing quota is effective for such marketing year.

ESTABLISHMENT OF ALLOTMENTS FOR OLD FARMS

Sec. 5. Acreage Allotments for Old Farms. -- The farm acreage allotment for an old farm shall be that percentage of the normal acreage for the farm which the normal acreages for all old farms in the State is of the State acreage allotment; provided, that if the acreage allotment so determined for any farm (except a farm operated, controlled, or directed by a person who also operates, controls or directs another farm on which tobacco is produced) is less than that acreage which, with the normal yield for the farm, would produce 3,200 pounds of tobacco, then such acreage allotment shall be increased to the smaller of (a) 120 percent thereof, or (b) that acreage which, with the normal yield for the farm, would produce 3,200 pounds of tobacco.

Sec. 6. Determination of Normal Tobacco Acreage. -- The normal acreage for an old farm shall be the past acreage determined pursuant to section 7 adjusted, if necessary, for land, labor and equipment; crop rotation practices; and the soil and other physical factors affecting the production of tobacco, pursuant to sections 8 and 9.

Sec. 7. Determination of Past Tobacco Acreage. -- The past tobacco acreage for a farm shall be the average acreage of tobacco (harvested and diverted) in the five years 1935 to 1939. The harvested and diverted acreage for a farm shall be determined as follows:

- (a) Harvested Acreage. -- The harvested acreage for any year shall be the number of acres actually harvested on the farm; except, that if such number of acres was less than 60 percent of the base or usual acreage determined for the farm in connection with the agricultural adjustment or conservation program for such year because of flood, drought, hail or blue mold, or other tobacco plant diseases, the harvested acreage for such year shall be adjusted upward to 70 percent of the base or usual acreage for the farm for such year.
- (b) Diverted Acreage. -- The diverted acreage for any year shall be the base or usual acreage determined for the farm in connection with the agricultural adjustment or conservation program for such year minus the harvested acreage for such year (as adjusted for abnormal conditions); provided that the diverted acreage for any year shall not exceed 30 percent of the base or usual acreage.

In cases where the 1939 acreage allotment was the same as the 1938 acreage allotment, the base or usual acreage for 1939 will be the same as for 1938. In cases where the 1939 acreage allotment was determined by adjustment of the 1938 acreage allotment but no determination was made of the accompanying base or usual acreage for 1939, the base or usual acreage for 1939 shall be as shown in the table below:

<u>Size of 1939 Allotment</u>	<u>1939 Base or Usual Acreage</u>
3.6 acres or more	= acreage obtained by dividing allotment by 70%
3.5 acres	= 4.9 acres
3.4 acres	= 4.6 acres
3.3 acres	= 4.2 acres
3.2 acres	= 3.8 acres
3.1 acres	= 3.5 acres
3.0 acres or less	= acreage obtained by dividing allotment by 90%

- (c) Subdivided farm:- If land operated as a single farm in any of the five years 1935 to 1939 has since been subdivided into two or more tracts, the base acreage, harvested acreage, and diverted acreage of tobacco for the farm for the respective years in which the land was operated as a single farm shall be apportioned among the tracts in the proportion which the acres of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year; provided, that if the local committee finds that such apportionment would not be equitable in view of the subsequent production on the farms which include such tracts, it shall make such other apportionment as it determines to be fair and equitable.

Sec. 8. Adjustment for Land, Labor, and Equipment. If the past acreage for a farm is higher or lower than the average of the acreages indicated for the farm by land and labor, the local committee shall make such adjustment in the past acreage as it determines will result in a normal acreage for the farm which is reasonable in relation to the acreages indicated for the farm by land, labor and equipment. Such adjustments shall be subject to the following limitations:

- (a) The past acreage for any farm shall not be adjusted downward to less than 80 percent of the past acreage unless further adjustment is made pursuant to section 9 or can be made without reducing the acreage below the acreage indicated for the farm by land or by labor.
- (b) The past acreage for any farm shall not be adjusted upward to an acreage larger than twice the past acreage for the farm or 4 acres if the past acreage for the farm is less than 2 acres.
- (c) The total upward adjustments pursuant to this section shall not exceed the total downward adjustments pursuant to this section and section 9, except as otherwise approved by the State committee.
- (d) All adjustments pursuant to this section shall be subject to approval by the State committee.

Sec. 9. Adjustment for Crop Rotation Practices and the Soil and other Physical Factors:— The normal acreage determined pursuant to section 8 shall be adjusted downward, if necessary, so as not to exceed the maximum normal acreage for the farm as shown in the table below:

<u>Acres of Cropland in Farm</u>	<u>Maximum Normal Acreage</u>
25 acres or more	40 percent of cropland
20 to 24.9 acres	44 percent of cropland but not over 10 acres
15 to 19.9 acres	48 percent of cropland but not over 8.8 acres
10 to 14.9 acres	52 percent of cropland but not over 7.2 acres
9.9 acres or less	60 percent of cropland but not over 5.2 acres

In addition to the downward adjustments authorized above, if the harvested acreage of tobacco on any farm in any year of the five years 1935 to 1939 was more than 50 percent above the average acreage in the other four years, thus indicating that the acreage for such year was abnormal in view of customary crop rotation practices for the farm, then the local committee, subject to approval of the State committee, shall make such further downward adjustment as is necessary to obtain a fair and reasonable normal acreage for the farm, taking into consideration the customary crop rotation practices for the farm, but in no case shall such adjustment result in a normal acreage which is less than the average acreage in such other four years.

Sec. 10. Determination of Acreages Indicated for a Farm by Land, Labor and Equipment.

- (a) Acreage Indicated by Land. The acreage indicated for a farm by land shall be the number of acres which result from multiplying the land available for the production of tobacco on the farm by the county average percent for land. The land available for the production of tobacco on a farm shall be the number of acres obtained by subtracting from the total acres of cropland in the farm the 1939 commercial crop (other than flue-cured tobacco) acreage for the farm. Such 1939 commercial crop acreage for any farm shall be the sum of (1) the acreage allotments of cash crops (other than flue-cured tobacco) determined for the farm under the 1939 agricultural conservation program (2) the 1939 acreages for the farm of cash crops for which acreage allotments were not determined under such program, and (3) the 1939 acreages of feed crops and the 1939 acreage of cropland devoted to pasture for commercial livestock. The county average percent for land shall be the percent obtained by dividing the land available for the production of tobacco on all tobacco farms in the county into the past tobacco acreage of all such farms.
- (b) Acreage Indicated by Labor. (1) The acreage indicated for a farm by labor shall be the number of acres which result from multiplying the labor available for the production of tobacco on the farm by the county average acreage for labor. The labor available for the production of tobacco on a farm shall be the number of families obtained by multiplying the total number of families engaged in the operation of the farm (not exceeding one family for each 15 acres of cropland in the farm) by that percent which the land available for the production of tobacco on the farm is of the total acres of cropland in the farm. The county average acreage for labor shall be the number of acres obtained by dividing the labor available for the production of tobacco on all tobacco farms in the county into the past tobacco acreage for all such farms.
- (2) A family means a body of two or more persons who live in one house and under one head. A family shall be considered as engaged in the operation of a farm if the head, and other members of the family who ordinarily take part in farm work are employed full-time in work on the farm. If the head and other members of the family who ordinarily take part in farm work devote their full time to farm work but do so by

working part time on two or more farms rather than full time on one farm, such family shall be considered as engaged in the operation of the farm on which more than half of its time is spent in work.

- (c) Acreage Indicated by Equipment. (1) The acreage indicated for a farm by equipment shall be the number of acres which result from multiplying the equipment available for the production of tobacco on the farm by the county average percent for equipment. The equipment available for the production of tobacco on any farm shall be the total acreage capacity of the flue-cured tobacco curing barns for the farm which are in suitable condition for the curing of tobacco, except that such acreage capacity shall in no event exceed the largest acreage of tobacco (harvested and diverted) for the farm in any of the five years 1935-1939. The county average percent for equipment shall be that percent obtained by dividing the equipment available for the production of tobacco on all tobacco farms in the county into the past tobacco acreage of all such farms.

- (2) The acreage capacity of curing barns of the sizes listed in the table below shall be as shown in such table:

<u>Size of Barns</u>	<u>Average Capacity</u>
16 feet by 16 feet	4
16 feet by 18 feet	5
16 feet by 20 feet	6
20 feet by 20 feet	7

If the barn does not fall within any of the sizes listed in the table above, the local committee shall establish an acreage capacity for such barn, which it determines is reasonable in relation to the acreage capacities of the barns listed in the table. If a curing barn customarily is used for curing tobacco grown on more than one farm, the acreage capacity allowance for the respective farms shall not exceed that proportion of the acreage capacity of the barn which the local committee determines is reasonable in relation to the use of the barn by the farm.

Sec. 11. Determination of Normal Yields: - The normal yield for any farm shall be that yield which the local committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1935 to 1939; (b) the soil and other physical factors affecting production of tobacco on the farm; and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county by the Secretary on the basis of county yields during the years 1935 to 1939, adjusted for abnormal conditions.

Establishment of Allotments for New Farms.

Sec. 12. Determination of Farm Acreage Allotment:- The acreage allotment for a new farm shall be that percentage of the normal acreage for the farm which the normal acreages for all such farms is of the acreage available for allotment to all such farms in the United States.

Sec. 13. Determination of Normal Acreages: - (a) The normal acreage for a new farm shall be that acreage which the local committee determines is fair and reasonable for the farm taking into consideration the acreage indicated by the past tobacco experience of the farm operator and by land, labor and equipment; but in no event shall the normal acreage be greater than the smaller of (1) the acreage indicated for the farm by equipment, or (2) the average of the acreages indicated by the past tobacco experience of the farm operator and by land, labor and equipment, or (3) 4 acres if the acreage indicated by the past tobacco experience of the farm operator is less than two acres.

(b) The acreage indicated for a new farm by the past tobacco experience of the farm operator shall be the average acreage of tobacco grown by or for the farm operator in the five years 1935 to 1939.

(c) The acreage indicated for a new farm by land, labor and equipment shall be determined pursuant to section 10.

(d) The normal acreages determined for farms as provided above shall be subject to approval by the State committee.

Sec. 14. Determination of Normal Yields: - The normal yield for a new farm shall be that yield per acre which the local committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Sec. 15. Time for Filing Application:- In order to obtain an allotment for a new tobacco farm the operator of the farm shall file an application therefor on 40 Tob. 11 "Application for 1940 Allotment - New Flue-Cured Tobacco Farm" prior to January 15, 1940.

FARM ALLOTMENT RECORD FOR 1940--FLUE-CURED TOBACCO

(Name of Farm)	(Name of 1940 Operator)	(Address)
Sec. I - PAST TOBACCO ACREAGE		

: Base or Usual		: Harvested		: Abnormal Conditions:		: Adjusted Har-	
Year:	Acreage	: Acreage	: Acreage	: Descrip-: Adjusted	: Diverted	: vested and Di-	: vested and Di-
				: tion	: Acres ^{1/}	: Acreage ^{2/}	: vested Acreage
A :	B	: C	: D	: E	: F	: G	
1. 1935:		:	:	:	:	:	
2. 1936:		:	:	:	:	:	
3. 1937:		:	:	:	:	:	
4. 1938:		:	:	:	:	:	
5. 1939		:	:	:	:	:	

1/ 70% of base if harvested acreage was less than 60 percent of base because of abnormal conditions.

2/ Base minus harvested acres but not over 30% of base.

6. Total Five Years ...

7. 5-Year Average ...

Sec. II LAND, LABOR AND EQUIPMENT, CROP ROTATION PRACTICES, SOIL AND OTHER FACTORS

8. Cropland:- (Acres of Cropland)

9. a. Cotton (Acres) b. Peanuts (Acres)

c. Potatoes and Vegetables (Acres) d. (Name of Crop) (Acres)

10. Total Acres Commercial Crops Other Than Tobacco (Acres)

11. Cropland Minus Commercial Crops Other Than Tobacco.. (Item 7 minus Item 9)

12. Labor:- (No. Families)

13. Equipment:- (Acres Curing Barn Space)

14. Crop Rotation Practices:- a. (Maximum Percent); b. (Maximum Acres)

15. Sec. III. NORMAL ACREAGE (5-Yr. average, item 7, adjusted for land, labor and equipment; crop rotation practices; and soil and other factors) (Normal Acreage)

16. Sec. IV. FARM YIELD AND ALLOTMENT:
 a. (Farm Yield Per Acre) b. (Acreage Allotment)
 (Over)

17. Sec. V. SMALL FARMS: a. Is this farm operated, controlled or directed by a person who also operates, controls, or directs another farm on which tobacco is produced?

(Answer "Yes" or "No")

b. If answer in item 17a is "No" and farm yield times allotment in line 16 is less than 3,200 pounds, then increase the acreage allotment in line 16 by 20 percent, but not to more than the acreage obtained by dividing the farm yield (item 16a) into 3,200 pounds.

(Allotment as increased)

COMMITTEE CERTIFICATION

We hereby certify that all information herein with respect to the farm covered by this record is correct to the best of our information and belief and that the normal acreage for the farm and the farm yield have been determined in accordance with the Flue-cured Allotment Procedure for 1940 and, in our judgment, are fair and reasonable for the farm.

(Signature of Community Committeeman for
Committee)

(Signature of County Committeeman for
Committee)

40-Feb-10
United States Department of Agriculture
Agricultural Adjustment Administration
Tobacco Section
August 1939

(County)

August 1939

Checked by:

Checked by:

[illegible]

40-Tob-11
U. S. D. A.
A. A. A.
Tobacco Section
August 1939

(Preliminary for instructional purposes only)

(Code and Serial No.)

(Community)

Application for 1940 Allotment
New Flue-cured Tobacco Farm

(Name and Address of Applicant)

(Name of Farm)

(Name and Address of Owner if Different from Operator)

Section I. Past Tobacco Experience of Applicant

Year	Name and Address of Operator of Farm on Which Applicant Produced Tobacco	Tenure of Applicant (Owner, cash- tenant, share- tenant or sharecropper)	Harvested Acres To- bacco in Applicant's Crop	Acres Share of Appli- cant in Crop
1935				
1936				
1937				
1938				
1939				

Sec. 2. Farm Operation: (a) Do you (or the owner, if a different person) operate, control, or direct another farm on which tobacco is produced? _____. If so, give name of each such farm and name and address of operator thereof.

(b) Do you live on this farm? _____. If you do not live on this farm, upon what basis are you operating it? _____

Sec. 3. Curing Barn Space. Is there a tobacco curing barn on this farm? _____

(b) If not, will a barn be constructed on the farm for 1940? _____

I hereby apply for a flue-cured tobacco allotment for 1940 as operator of the farm described above and represent that the information shown above is true to the best of my information and belief.

(Date of Signature)

(Signature of Applicant)

Committee Certification

Each of the undersigned hereby certifies that the information contained in this application is true to the best of his information and belief.

(Signature for Community Committee)

(Signature for County Committee)

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

PROCEDURE FOR THE DETERMINATION OF FLUE-CURED TOBACCO ACREAGE ALLOTMENTS FOR 1940

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GENERAL

SECTION 1. **Definitions.**—As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires:

(a) **Flue-cured Allotment Procedure for 1940** means this 40-Tob-8.

(b) **Local committee** means the county and community committee utilized under the Act. "County committee" or "community committee" shall have corresponding meanings in the connection in which they are used.

(c) **New farm** means a farm on which tobacco was not produced in any of the 5 years 1935 to 1939, but on which tobacco will be produced in 1940.

(d) **Old farm** means a farm on which tobacco was produced in 1 or more of the 5 years 1935 to 1939 and on which tobacco will be produced in 1940.

(e) **Operator** means the person who, as owner, landlord, or tenant, is in charge of the supervision and the conduct of the farming operations on the entire farm.

(f) **State committee** means the group of persons so designated within any State to assist in the administration in the State of the act.

(g) **Tobacco** means tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as types 11, 12, 13, and 14 and collectively known as flue-cured tobacco.

SEC. 2. Extent of calculations and rule of fractions.—(a) All percentages shall be calculated to the nearest whole percent. Fractions of fifty-one hundredths of one percent or more shall be rounded upward, and fractions of five-tenths of one percent or less shall be dropped. For example, 87.51 percent would become 88 percent and 87.50 percent would become 87 percent. (b) All acreages shall be calculated to the nearest one-tenth of an acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.00.

SEC. 3. Instructions and forms.—The Administrator of the Agricultural Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

SEC. 4. Applicability of procedure.—This flue-cured allotment procedure for 1940 shall govern the establishment of farm-acreage allotments for flue-cured tobacco for use in connection with the 1940 Agricultural Conservation Program and in connection with farm-marketing quotas for flue-cured tobacco for the marketing year therefor beginning July 1, 1940, in the event a national marketing quota is effective for such marketing year.

ESTABLISHMENT OF ALLOTMENTS FOR OLD FARMS

SEC. 5. Acreage allotments for old farms.—The farm-acreage allotment for an old farm shall be that percentage of the normal acreage for the farm which the normal acreages for all old farms in the State is of the State acreage allotment; provided, that if the acreage allotment so determined for any farm (except a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced) is less than that acreage which, with the normal yield for the farm, would produce 3,200 pounds of tobacco, then such acreage allotment shall be increased to the smaller of (a) 120 percent thereof, or (b) that acreage which, with the normal yield for the farm, would produce 3,200 pounds of tobacco.

SEC. 6. Determination of normal tobacco acreage.—The normal acreage for an old farm shall be the past acreage determined pursuant to section 7, adjusted, if necessary, for land, labor, and equipment; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco, pursuant to sections 8 and 9.

SEC. 7. Determination of past tobacco acreage.—The past tobacco acreage for a farm shall be the average acreage of tobacco (harvested

and diverted) in the 5 years 1935 to 1939. The harvested and diverted acreage for a farm shall be determined as follows:

(a) **Harvested acreage.**—The harvested acreage for any year shall be the number of acres actually harvested on the farm, except that if such number of acres was less than 60 percent of the base or usual acreage determined for the farm in connection with the agricultural adjustment or conservation program for such year because of flood, drought, hail, or blue mold, or other tobacco-plant diseases, the harvested acreage for such year shall be adjusted upward to 70 percent of the base or usual acreage for the farm for such year.

(b) **Diverted acreage.**—The diverted acreage for any year shall be the base or usual acreage determined for the farm in connection with the agricultural adjustment or conservation program for such year minus the harvested acreage for such year (as adjusted for abnormal conditions); provided that the diverted acreage for any year shall not exceed 30 percent of the base or usual acreage.

In cases where the 1939 acreage allotment was the same as the 1938 acreage allotment, the base or usual acreage for 1939 will be the same as for 1938. In cases where the 1939 acreage allotment was determined by adjustment of the 1938 acreage allotment but no determination was made of the accompanying base or usual acreage for 1939, the base or usual acreage for 1939 shall be as shown in the table below:

<i>Size of allotment</i>	<i>1939 base or usual acreage</i>
3.6 acres or more	=acreage obtained by dividing allotment by 70 percent.
3.5 acres	=4.9 acres.
3.4 acres	=4.6 acres.
3.3 acres	=4.2 acres.
3.2 acres	=3.8 acres.
3.1 acres	=3.5 acres.
3.0 acres or less	=acreage obtained by dividing allotment by 90 percent.

(c) **Subdivided farms.**—If land operated as a single farm in any of the 5 years 1935 to 1939 has since been subdivided into two or more tracts, the base acreage, harvested acreage, and diverted acreage of tobacco for the farm for the respective years in which the land was operated as a single farm shall be apportioned among the tracts in the proportion which the acres of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year; provided, that if the local committee finds that such apportionment would not be equitable in view of the subsequent production on the farms which include such tracts, it shall make such other apportionment as it determines to be fair and equitable.

SEC. 8. Adjustment for land, labor, and equipment.—If the past acreage for a farm is higher or lower than the average of the acreages indicated for the farm by land and labor, the local committee shall make such adjustment in the past acreage as it determines will result in a normal acreage for the farm which is reasonable in relation to the acreages indicated for the farm by land, labor, and equipment. Such adjustments shall be subject to the following limitations:

(a) The past acreage for any farm shall not be adjusted downward to less than 80 percent of the past acreage unless further adjustment is made pursuant to section 9 or can be made without reducing the acreage below the acreage indicated for the farm by land or by labor.

(b) The past acreage for any farm shall not be adjusted upward to an acreage larger than twice the past acreage for the farm or 4 acres if the past acreage for the farm is less than 2 acres.

(c) The total upward adjustments pursuant to this section shall not exceed the total downward adjustments pursuant to this section and section 9, except as otherwise approved by the State committee.

(d) All adjustments pursuant to this section shall be subject to approval by the State committee.

SEC. 9. Adjustment for crop-rotation practices and the soil and other physical factors.—The normal acreage determined pursuant to section 8 shall be adjusted downward, if necessary, so as not to exceed the maximum normal acreage for the farm as shown in the table below:

<i>Acres of cropland in farm</i>	<i>Maximum normal acreage</i>
25 acres or more-----	40 percent of cropland.
20 to 24.9 acres-----	44 percent of cropland, but not over 10 acres.
15 to 19.9 acres-----	48 percent of cropland, but not over 8.8 acres.
10 to 14.9 acres-----	52 percent of cropland, but not over 7.2 acres.
9.9 acres or less-----	60 percent of cropland, but not over 5.2 acres.

In addition to the downward adjustments authorized above, if the harvested acreage of tobacco on any farm in any year of the 5 years, 1935 to 1939, was more than 50 percent above the average acreage in the other 4 years, thus indicating that the acreage for such year was abnormal in view of customary crop-rotation practices for the farm, then the local committee, subject to approval of the State committee, shall make such further downward adjustment as is necessary to obtain a fair and reasonable normal acreage for the farm, taking into consideration the customary crop-rotation practices for the farm, but in no case shall such adjustment result in a normal acreage which is less than the average acreage in such other 4 years.

SEC. 10. Determination of acreages indicated for a farm by land, labor, and equipment—(a) **Acreage indicated by land.**—The acreage indicated for a farm by land shall be the number of acres which result from multiplying the land available for the production of tobacco on the farm by the county average percent for land. The land available for the production of tobacco on a farm shall be the number of acres obtained by subtracting from the total acres of cropland in the farm the 1939 commercial crop (other than flue-cured tobacco) acreage for the farm. Such 1939 commercial crop acreage for any farm shall be the sum of (1) the acreage allotments of cash crops (other than flue-cured tobacco) determined for the farm under the 1939 agricultural conservation program, (2) the 1939 acreages for the farm of cash crops for which acreage allotments were not determined under such program, and (3) the 1939 acreages of feed crops and the 1939 acreage of cropland devoted to pasture for commercial livestock. The county average percent for land shall be the percent obtained by dividing the land available for the production of

tobacco on all tobacco farms in the county into the past tobacco acreage of all such farms.

(b) **Acreage indicated by labor.**—(1) The acreage indicated for a farm by labor shall be the number of acres which result from multiplying the labor available for the production of tobacco on the farm by the county average acreage for labor. The labor available for the production of tobacco on a farm shall be the number of families obtained by multiplying the total number of families engaged in the operation of the farm (not exceeding one family for each 15 acres of cropland in the farm) by that percent which the land available for the production of tobacco on the farm is of the total acres of cropland in the farm. The county average acreage for labor shall be the number of acres obtained by dividing the labor available for the production of tobacco on all tobacco farms in the county into the past tobacco acreage for all such farms.

(2) A "family" means a body of two or more persons who live in one house and under one head. A family shall be considered as engaged in the operation of a farm if the head, and other members of the family who ordinarily take part in farm work, are employed full time in work on the farm. If the head and other members of the family who ordinarily take part in farm work devote their full time to farm work but do so by working part time on two or more farms rather than full time on one farm, such family shall be considered as engaged in the operation of the farm on which more than half of its time is spent in work.

(c) **Acreage indicated by equipment.**—(1) The acreage indicated for a farm by equipment shall be the number of acres which result from multiplying the equipment available for the production of tobacco on the farm by the county average percent for equipment. The equipment available for the production of tobacco on any farm shall be the total acreage capacity of the flue-cured tobacco curing barns for the farm which are in suitable condition for the curing of tobacco, except that such acreage capacity shall in no event exceed the largest acreage of tobacco (harvested and diverted) for the farm in any of the 5 years 1935-39. The county average percent for equipment shall be that percent obtained by dividing the equipment available for the production of tobacco on all tobacco farms in the county into the past tobacco acreage of all such farms.

(2) The acreage capacity of curing barns of the sizes listed in the table below shall be as shown in such table:

<i>Size of barns</i>	<i>Acreage capacity</i>
16 by 16 feet.....	4
16 by 18 feet.....	5
16 by 20 feet.....	6
20 by 20 feet.....	7

If the barn does not fall within any of the sizes listed in the table above, the local committee shall establish an acreage capacity for such barn, which it determines is reasonable in relation to the acreage capacities of the barns listed in the table. If a curing barn customarily is used for curing tobacco grown on more than one farm, the acreage capacity allowance for the respective farms shall not exceed that proportion of the acreage capacity of the barn which the local committee determines is reasonable in relation to the use of the barn by the farm.

SEC. 11. Determination of normal yields.—The normal yield for

any farm shall be that yield which the local committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1935 to 1939; (b) the soil and other physical factors affecting production of tobacco on the farm; and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county by the Secretary on the basis of county yields during the years 1935 to 1939, adjusted for abnormal conditions.

ESTABLISHMENT OF ALLOTMENTS FOR NEW FARMS

SEC. 12. Determination of farm-acreage allotment.—The acreage allotment for a new farm shall be that percentage of the normal acreage for the farm which the normal acreages for all such farms is of the acreage available for allotment to all such farms in the United States.

SEC. 13. Determination of normal acreages.—(a) The normal acreage for a new farm shall be that acreage which the local committee determines is fair and reasonable for the farm taking into consideration the acreage indicated by the past tobacco experience of the farm operator and by land, labor, and equipment; provided, that the normal acreage for any farm shall not exceed whichever of the following acreages is the smallest for the farm:

- (1) The acreage capacity of the curing barns on the farm;
 - (2) The average of (i) the acreage indicated by the past experience of the farm operator and (ii) the smallest of the respective acreages indicated for the farm by land, labor, and equipment;
 - (3) Four acres, if the past tobacco experience of the farm operator is less than two acres.
- (b) The acreage indicated for a new farm by the past tobacco experience of the farm operator shall be the average acreage of tobacco grown by or for the farm operator in the 5 years 1935-39.
- (c) The acreage indicated for a new farm by land, labor, and equipment shall be determined pursuant to section 10.
- (d) The normal acreages determined for farms as provided above shall be subject to approval by the State committee.

SEC. 14. Determination of normal yields.—The normal yield for a new farm shall be that yield per acre which the local committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

SEC. 15. Time for filing application.—In order to obtain an allotment for a new tobacco farm the operator of the farm shall file an application therefor on 40-Tob-11, "Application for 1940 Allotment—New Flue-cured Tobacco Farm," prior to January 15, 1940.

Done at Washington, D. C., this 31st day of August 1939.
Witness my hand and seal of the Department of Agriculture.

[SEAL]

HARRY L. BROWN,
Acting Secretary of Agriculture.

